

APPROVED and SO ORDERED.  
ENTER: 7/7/2017

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**CHARLESTON DIVISION**

  
JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE

**CAROLYN NORRIS,**

**MDL 2325**

**Plaintiff,**

**NO. 2:13-CV-00539**

**v.**

**ETHICON, INC., ETHICON WOMEN'S  
HEALTH AND UROLOGY, GYNECARE,  
JOHNSON & JOHNSON, C. R. BARD, INC.,  
AMERICAN MEDICAL SYSTEMS, INC.,  
BOSTON SCIENTIFIC CORPORATION,**

**Defendants.**

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**JOINT MOTION TO DISMISS DEFENDANT  
AMERICAN MEDICAL SYSTEMS, INC. WITH PREJUDICE  
AND PLAINTIFF'S MOTION TO TRANSFER MDLS**

Plaintiff in the above-captioned case and defendant American Medical Systems, Inc. ("AMS") advise the Court that they have compromised and settled all claims between them in this action, including all counterclaims, cross-claims and third party claims. Accordingly, they jointly move the court to dismiss AMS as a defendant in this action with prejudice, parties to bear their own costs.<sup>1</sup>

Other defendants, including Ethicon, Inc., remain in this action, and plaintiff will continue to pursue this action against them. To that end, an Amended Short Form Complaint has been or will be filed against the remaining defendants.

Further, plaintiff moves to transfer this action from MDL 2325, In re: American Medical Systems, Inc., Pelvic Repair System Products Liability Litigation to: MDL 2327. Plaintiff herein

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<sup>1</sup> The parties jointly move to dismiss AMS, Inc. with prejudice and terminate it from the Court's docket in this matter; the signatures for AMS on this motion relate only to the joint motion. The motion to transfer is made only by the plaintiff.

filed a Complaint or Short Form Complaint in MDL 2325 against American Medical Systems, Inc., and others. Within fourteen (14) days of the filing of this *motion*, plaintiff will file an Amended Short Form Complaint that no longer includes American Medical Systems, Inc. as a named defendant.

Because American Medical Systems, Inc. is no longer a named defendant in this case, plaintiff respectfully requests that the Court: 1) GRANT the plaintiff's motion to transfer this action from MDL 2325 to MDL 2327; and 2) direct the Clerk to disassociate this civil action as a member cases in MDL 2325 and re-associate it with MDL 2327.

Respectfully:

/s/ Barbara Binis

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*Attorneys for Defendant American Medical Systems, Inc. with Respect to the Joint Motion to Dismiss Only*

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Dated: 7/06/2017